

SENATE BILL 1289

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 8, relative to traffic enforcement cameras.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-198, is amended by deleting subsection (a) and adding the following new subsections:

( ) After July 1, 2011, no local government may place or operate a traffic enforcement camera on any highway that is maintained using state funds unless the location for such placement has been adopted by ordinance, in the case of a municipality, or by a resolution in the case of a county; provided that prior to the adoption of such resolution, the county legislative body shall hold at least two (2) public hearings on different days.

( ) Notwithstanding any provision of law to the contrary, no traffic citation that is based solely on evidence obtained from a surveillance camera that has been installed to enforce or monitor traffic violations shall be reported to the department of safety or used by any insurance provider or credit reporting agency for any purpose.

( ) A traffic citation that is based solely on evidence obtained from a surveillance camera that has been installed to enforce or monitor traffic violations is a non-moving violation, subject only to imposition of a fine not to exceed fifty dollars (\$50.00) and court costs. Effective July 1, 2011, court costs shall not be assessed against any person who pays the fine prescribed in this section in a timely manner unless court action is first taken. An additional penalty may be assessed if a second notice is sent by first class mail pursuant to subsection (b), provided such penalty is in accordance with the penalty

assessed for other non-moving violations. Under no circumstances shall the cumulative amount of penalties exceed the original amount of the fine.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.